



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE

for Permit Application

30-Day Notice

Issue Date: July 25, 2008

Expiration Date: August 23, 2008

Corps of Engineers No: NWP-2001-3

Oregon Department of State Lands No: RF-30239

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Michele E. Hanson
1600 Executive Parkway, Suite 210
Eugene, Oregon 97401-2156

Applicant: Mr. Brad Schell
K & F Development LLC (K & F)
17933 N.W. Evergreen Parkway Suite 300
Beaverton, Oregon 97006-7660

Location: The project is located in Eugene, Lane County, Oregon (Section 33, Township 17 South, Range 4 West). The site is at 29826 Willow Creek Road.

Waterway: Wetlands abutting perennial Willow Creek, a tributary to Amazon Creek. Amazon Creek discharges into the Long Tom River at Fern Ridge Reservoir, a Corps-owned and operated flood control reservoir. The Long Tom River discharges into the Willamette River, a Section 10 water, in two locations about 10 miles south of Corvallis, Oregon.

Project Description: K & F proposes to place fill into 1.78 acres of palustrine, emergent wetland (Willamette wet prairie) to construct multiple family housing and associated infrastructure. The work would be completed in a single phase with construction completed in the year following grading and site preparation. To connect to an existing city line, K & F would install about 300 linear feet of stormwater line through 0.033-acre of wetland north of the subject property.

Mitigation: The project site is within the planning area identified under the West Eugene Wetland Conservation Plan (WEWCP). The subject wetlands were identified in the WEWCP as developable areas based their overall contribution to the system and in light of the City of Eugene recognition of the need for some level of development. The applicant has not identified alternatives that would avoid or minimize wetland impacts onsite. K & F has proposed to purchase credits from an approved bank whose service area includes the permit area as compensatory wetland mitigation to mitigate unavoidable aquatic impacts.

If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

Purpose: To provide housing in the Eugene Metropolitan area.

Drawing(s): Nine (9) drawings are attached and labeled NWP-2001-3.

Additional Information: Additional information may be obtained from Michele E. Hanson, Project Manager, U.S. Army Corps of Engineers at (541) 465-6878 or email michele.e.hanson@usace.army.mil.

Authority: This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Public Hearing: Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state with particularity the reasons for holding a public hearing.

Endangered Species: Preliminary determinations indicate that the described activity may affect an endangered or threatened species and/or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

Cultural Resources: An initial evaluation of the proposed project area indicates the described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. If the Corps determines the permit area is likely to yield resources eligible for inclusion in the National Register of Historic Places an investigation for the presence of potentially eligible historic properties may be required prior to the Corps' final permit decision.

This notice has been provided to the State Historic Preservation Office, interested Native American Indian Tribes, and other interested parties. If you have information pertaining to cultural resources within the permit area, please provide this information to the Corps project manager (identified on page 1 of this notice) to assist in a complete evaluation of potential effects.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority previously indicated may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

PUBLIC NOTICE
Oregon Department of Environmental Quality (DEQ)
Water Quality 401 Certification

Corps of Engineers No: NWP-2001-3
Oregon Department of State Lands No: RF-30239

Notice Issued: July 25, 2008
Written Comments Due: August 23, 2008

WHO IS THE APPLICANT: Mr. Brad Schell for K & F Development

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice.

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project.

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Northwest Region, 401 Water Quality Certification Coordinator, 2020 SW Fourth Avenue, Suite 400, Portland, Oregon 97201-4987.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Ms. Jan Coomler at (503) 229-5087.

Any questions on the proposed certification may be addressed to the 401 Water Quality Certification Coordinator, (503) 229-6030 or toll free within Oregon at (800) 452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:

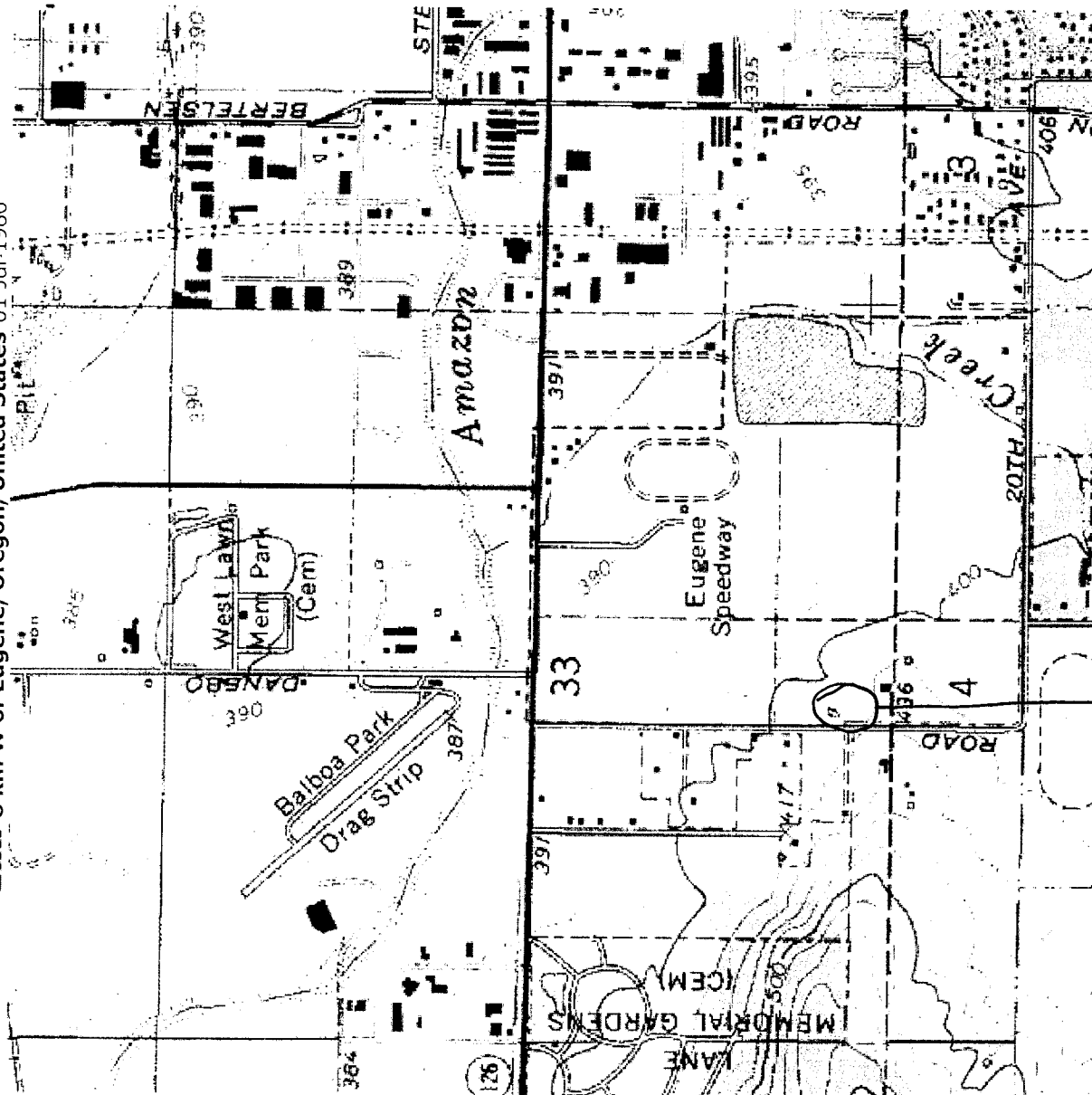
Public Hearing: Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Corps provides public notice of and opportunity to comment on the applications, including the application for certification, provided that the department (DEQ), in its discretion, may provide additional opportunity for public comment, including public hearing."

Written comments:

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on **August 23, 2008**. Written comments should be mailed to Oregon Department of Environmental Quality, Northwest Region, Attn: 401 Water Quality Certification Coordinator, 2020 SW Fourth Avenue, Suite 400, Portland, Oregon 97201-4987 or faxed to (503) 229-6957. *People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, emails should be aware that if there is a delay between servers or if a server is not functioning properly, emails may not be received prior to the close of the public comment period.* People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format to 401publiccomments@deq.state.or.us. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

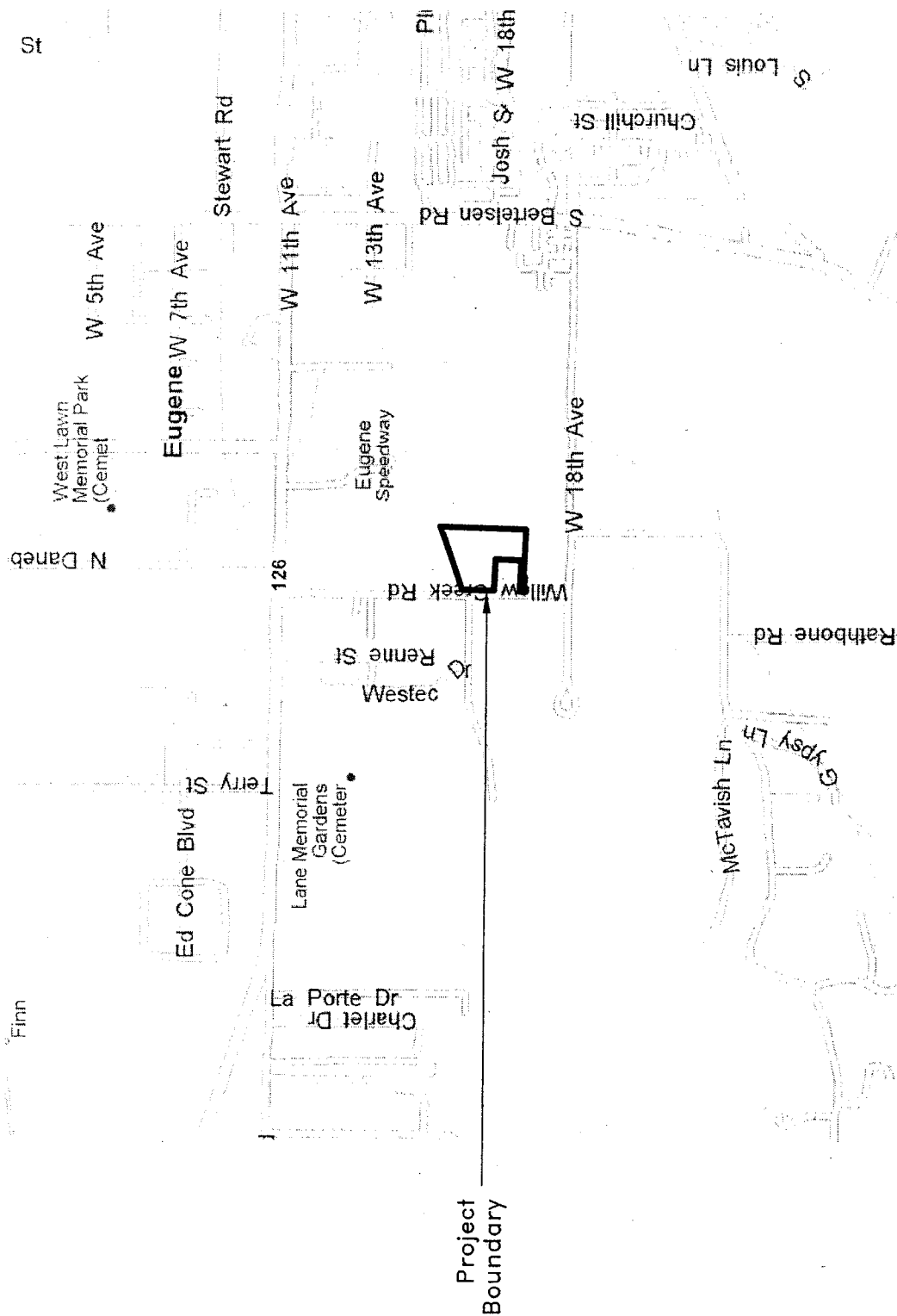
WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at (800) 452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.



Project Location

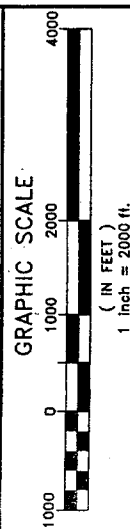
FIGURE 1



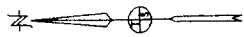
SOURCE: Microsoft Street & Trips, 2007.

WETLAND PERMIT APPLICATION FOR THE
STEED MEADOWS DEVELOPMENT
(TAX LOT 601, LANE COUNTY
ASSESSOR'S MAP #17-04-33-4)
Eugene, Lane County, Oregon

Terra Science, Inc.
Soil, Water, & Wetland Consultants



May 2008



18 04 04 12

EUGENE

C.A.D. SYS.

R.4W. W.M.

NW1/4 NE1/4 SEC.4 T.18S
LANE COUNTY
SCALE 1" = 100'

SEE MAP 17 04 33 4

TAX LOTTED ON MAP
17 04 33 40

Project
Boundary

APPROX.
1/4 COR.

PCL 2

PCL 1

PCL 3

PCL 4

PCL 5

PCL 6

PCL 7

PCL 8

PCL 9

PCL 10

PCL 11

PCL 12

PCL 13

PCL 14

PCL 15

PCL 16

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CANCELLED

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EUGENE

SEE MAP 18 04 04

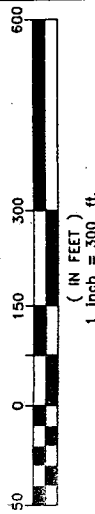
SOURCE: Adapted from Lane County Assessors's map no. 17-04-33-4 (ORMAP, 2008).

WETLAND PERMIT APPLICATION FOR THE
STEED MEADOWS DEVELOPMENT
(TAX LOT 601, LANE COUNTY
ASSESSOR'S MAP #17-04-33-4)
Eugene, Lane County, Oregon

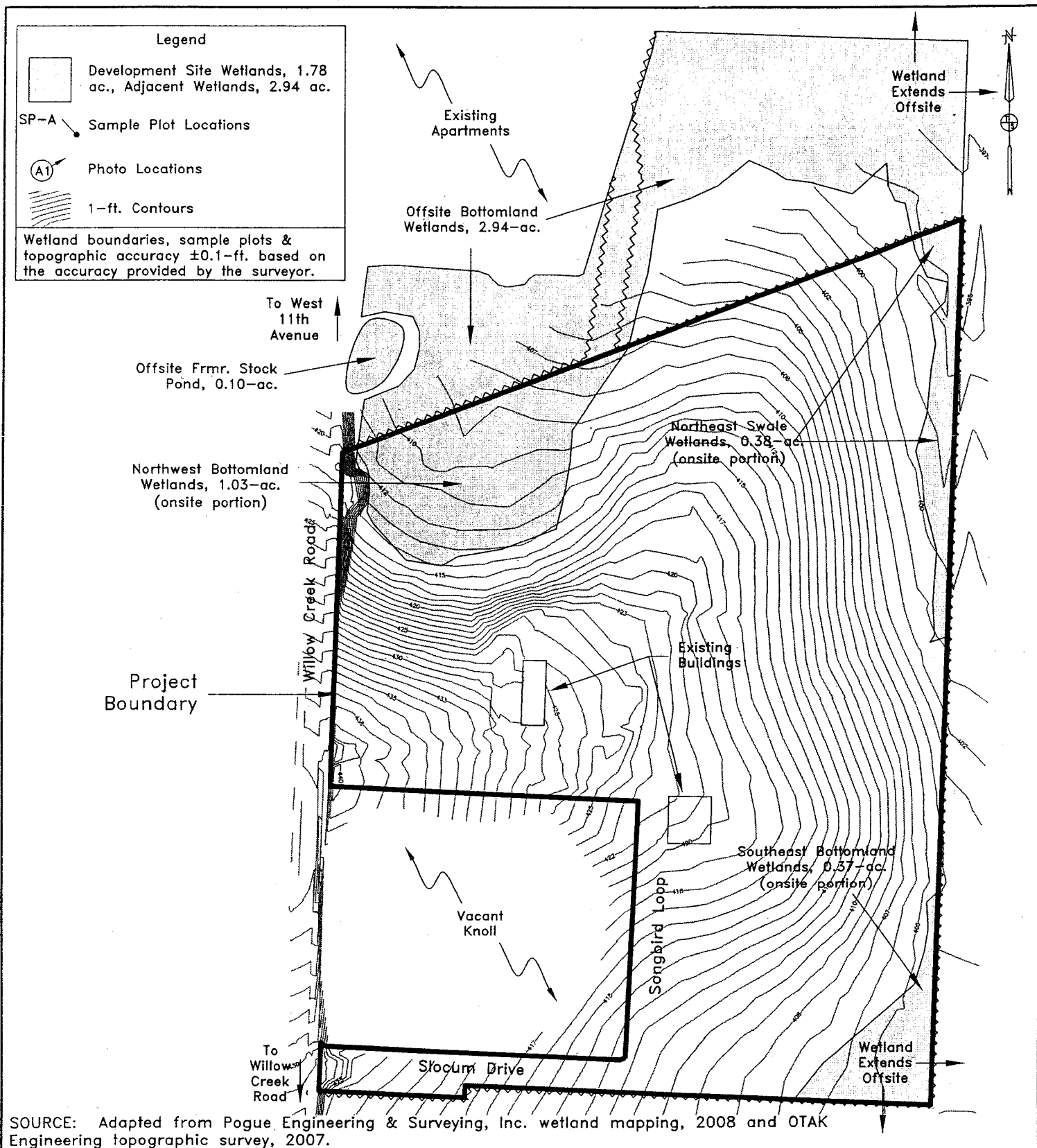
TAX MAP
18-04-04-12

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Soil, Water, & Wetland Consultants

GRAPHIC SCALE



May 2008



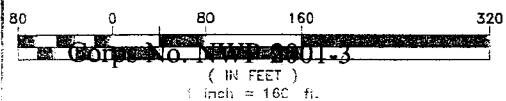
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WETLAND PERMIT APPLICATION FOR THE
STEED MEADOWS DEVELOPMENT
(TAX LOT 601, LANE COUNTY
ASSESSOR'S MAP #17-04-33-4)
Eugene, Lane County, Oregon

EXISTING
CONDITIONS
& WETLAND
BOUNDARIES

FIGURE 3

GRAPHIC SCALE

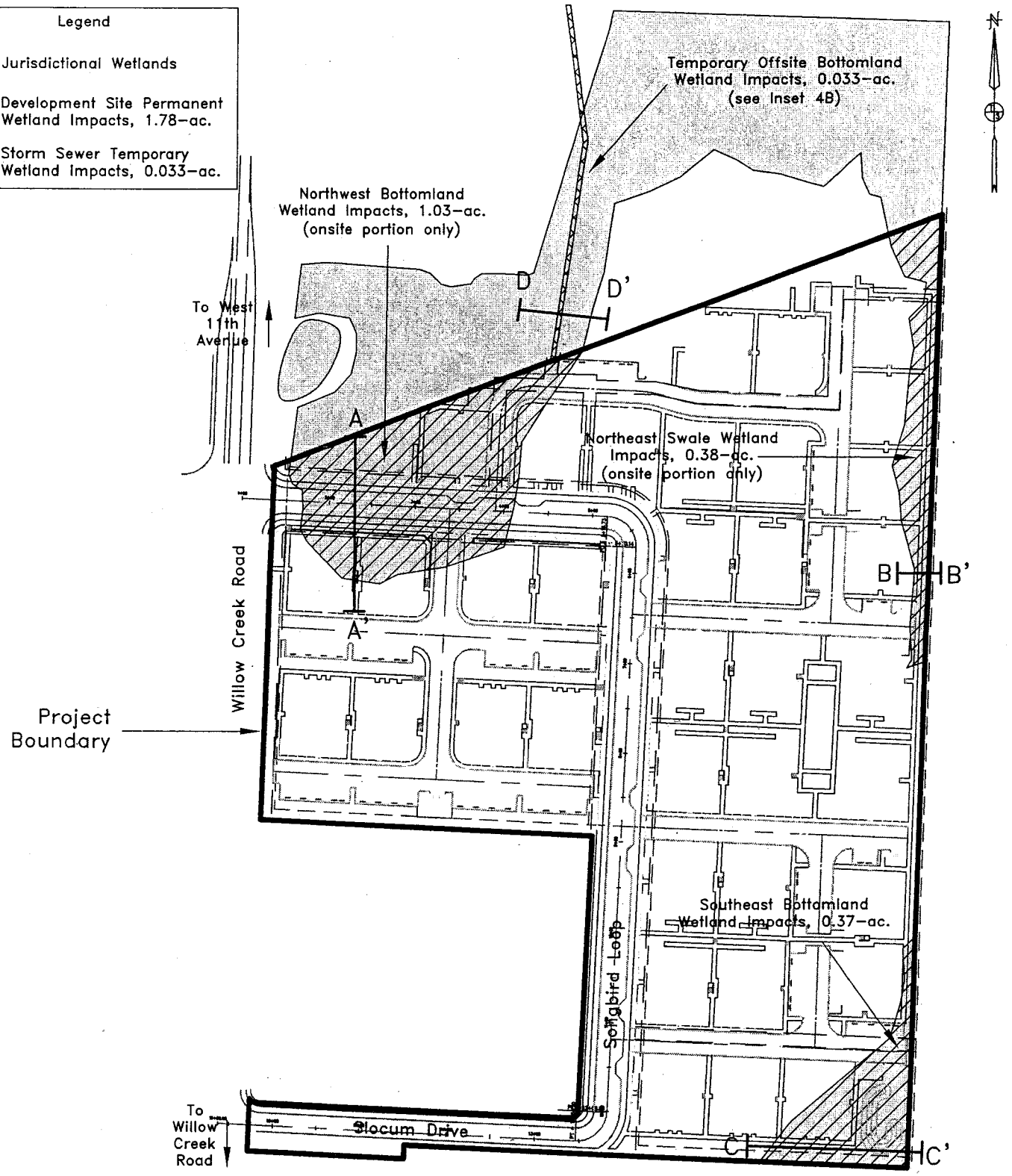


May 2008

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Legend

- Jurisdictional Wetlands
- Development Site Permanent Wetland Impacts, 1.78-ac.
- Storm Sewer Temporary Wetland Impacts, 0.033-ac.



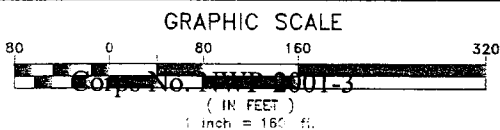
SOURCE: Adapted from Pogue Engineering & Surveying, Inc. wetland mapping, 2008, OTAK Engineering topographic survey, 2007, and site plan, 2008.

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WETLAND PERMIT APPLICATION FOR THE
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(TAX LOT 601, LANE COUNTY
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Eugene, Lane County, Oregon

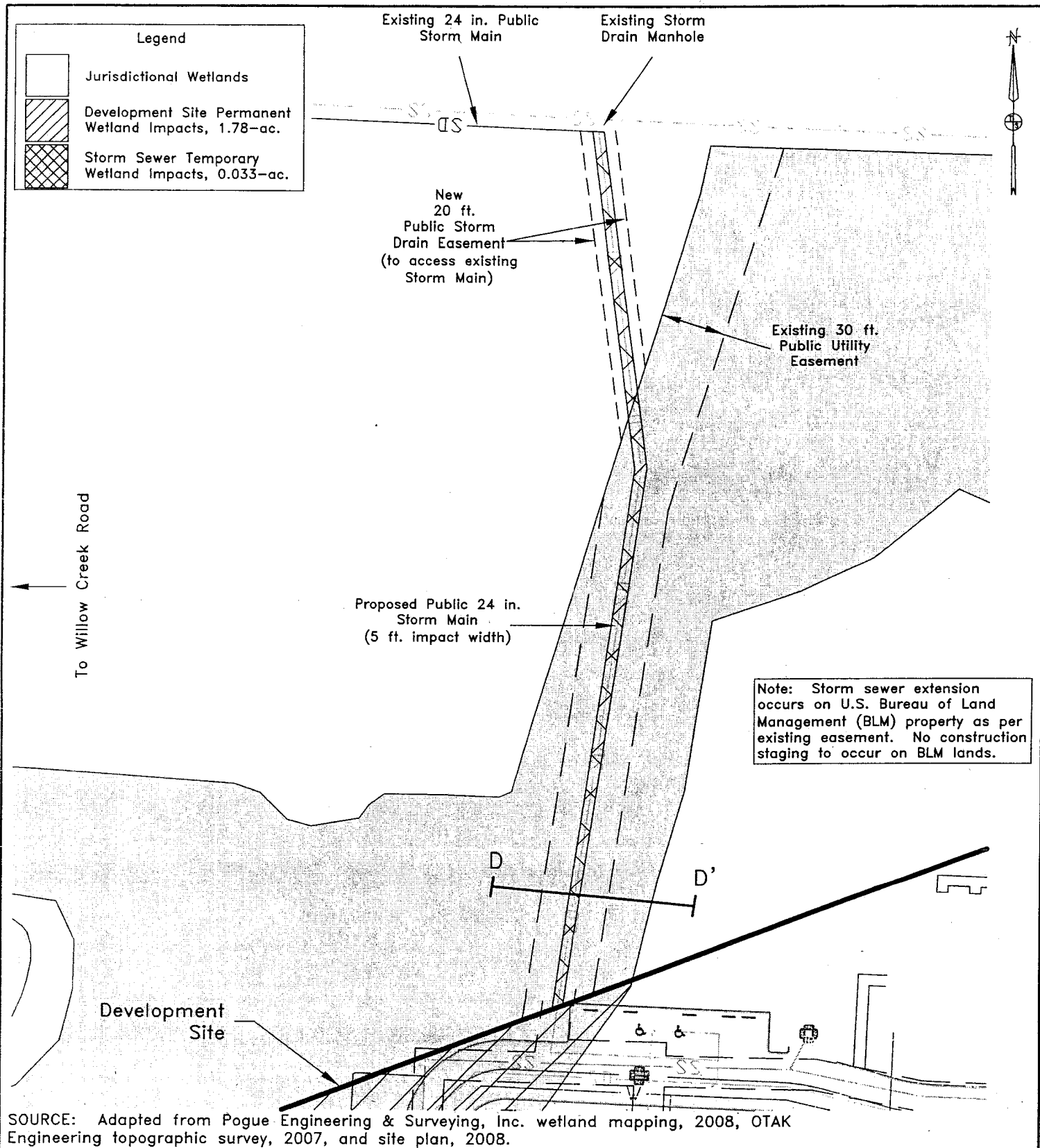
PLAN VIEW &
PROPOSED
WETLAND
IMPACTS

FIGURE 4A



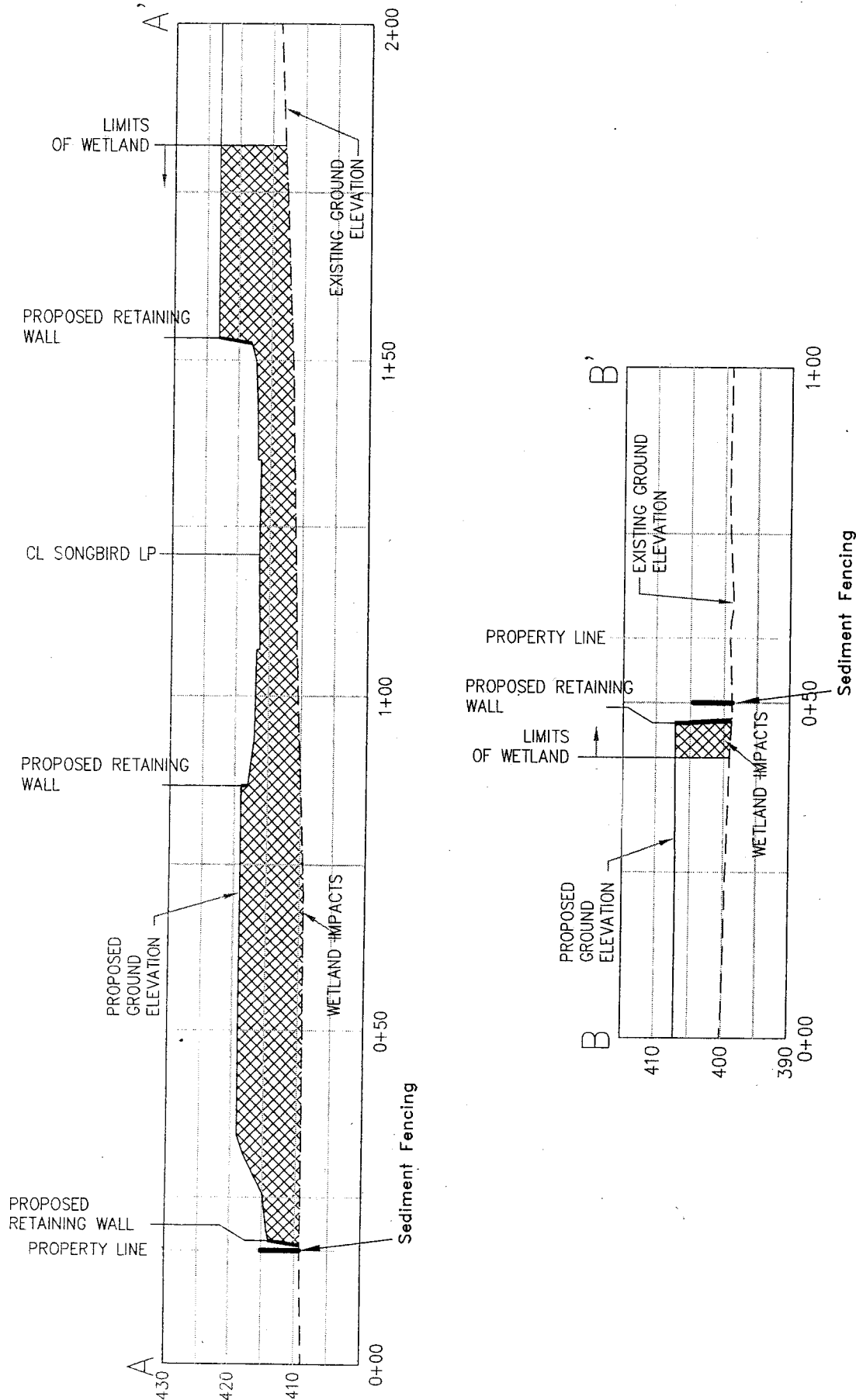
May 2008

Page 11 of 14
Wetland Impact
Cross-Sections
(See Figures 8A & 8B)



<p>Terra Science, Inc. Soil, Water, & Wetland Consultants</p> <p>GRAPHIC SCALE 30 0 30 60 120 (IN FEET) 1 inch = 60 ft.</p>	<p>WETLAND PERMIT APPLICATION FOR THE STEED MEADOWS DEVELOPMENT (TAX LOT 601, LANE COUNTY ASSESSOR'S MAP #17-04-33-4) Eugene, Lane County, Oregon</p> <p>May 2008</p>	<p>PROPOSED OFFSITE STORM DRAIN WETLAND IMPACTS</p> <p>INSET 4B</p> <p>Page 12 of 14 Wetland Impact Cross-Sections (See Figures 8A & 8B)</p>
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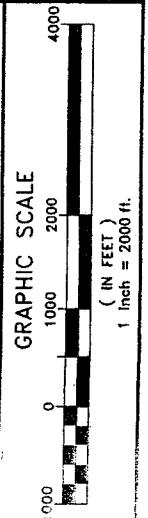
FIGURE 8A



WETLAND PERMIT APPLICATION FOR THE
STEED MEADOWS DEVELOPMENT
(TAX LOT 601, LANE COUNTY
ASSESSOR'S MAP #17-04-33-4)
Eugene, Lane County, Oregon

WETLAND IMPACT
CROSS-SECTIONS
A-A' & B-B'

Terra Science, Inc.
Soil, Water, & Wetland Consultants



May 2008

SOURCE: OTAK Engineering 2007 topographic survey and 2008 site plan.

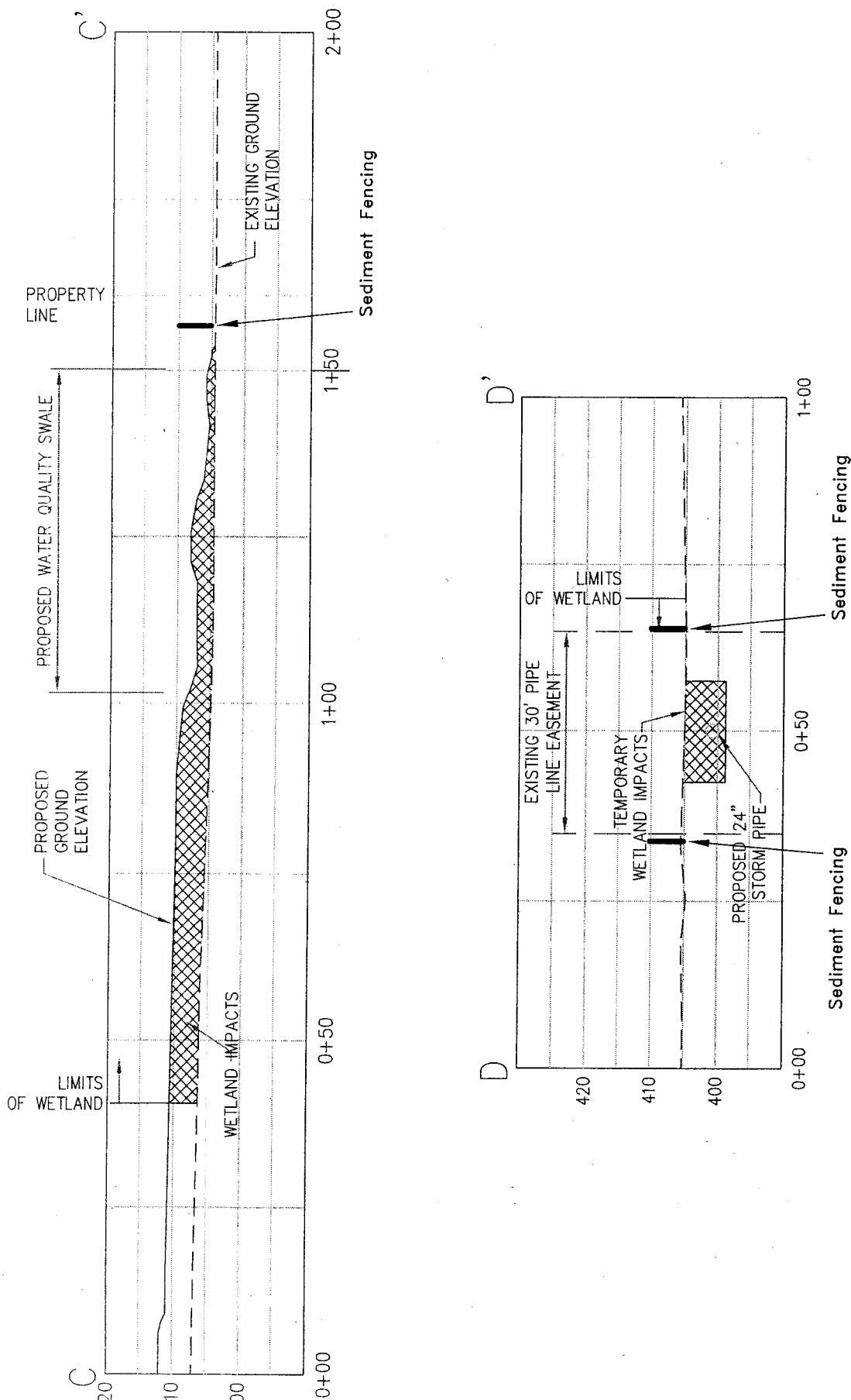
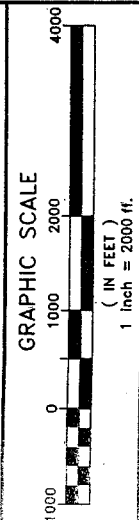
FIGURE 8B

WETLAND IMPACT
CROSS-SECTIONS
C-C' & D-D'

WETLAND PERMIT APPLICATION FOR THE
STEED MEADOWS DEVELOPMENT
(TAX LOT 601, LANE COUNTY
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Eugene, Lane County, Oregon

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Soil, Water, & Wetland Consultants

May 2008



SOURCE: OTAK Engineering 2007 topographic survey and 2008 site plan.